

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHRISTINE JACKSON,

Petitioner,

No. 08-CV-10094-DT

vs.

Hon. Gerald E. Rosen

CLARICE STOVALL,

Respondent.

ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION AND
DISMISSING PLAINTIFF'S HABEAS CORPUS ACTION

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on April 29, 2010

PRESENT: Honorable Gerald E. Rosen
Chief Judge, United States District Court

This matter having come before the Court on the April 12, 210 Report and Recommendation of United States Magistrate Judge Paul J. Komives recommending that the Court deny Christine Jackson's petition for a writ of habeas corpus and that this case, accordingly, be dismissed; and Petitioner having timely filed Objections; and the Court having reviewed the Magistrate Judge's Report and Recommendation, Petitioner's Objections, and the Court's file of this action and having concluded that, for the reasons stated in the Report and Recommendation, Jackson's petition for habeas corpus relief should be denied; and the Court being otherwise fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's

Report and Recommendation of April 12, 2010 [**Dkt. # 11**] be, and hereby is, adopted by this Court.¹

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Plaintiff's petition for habeas corpus relief **Dkt. # 11**] be, and hereby is DENIED and the above-captioned case, therefore, is DISMISSED.

IT IS FURTHER ORDERED that for the reasons stated in the Report and Recommendation, the Court will GRANT a certificate of appealability, in part. The Court GRANTS a certificate of appealability with respect to Petitioner's Confrontation Clause claims but DENIES a certificate of appealability with respect to Petitioner's ineffective assistance of counsel and prosecutorial misconduct claims.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: April 29, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 29, 2010, by electronic and/or ordinary mail.

s/Ruth A. Gunther
Case Manager

¹ The Court adopts the R&R with two minor clerical/typographical corrections. The Court corrects page 19, line 7: the phrase "the prior testimony was offered to prove the truth" is corrected to read "the prior testimony was not offered to prove the truth." The excerpt from the trial transcript at page 28, line 22 is also similarly corrected: the sentence "This some of the most compelling evidence in the case" is corrected to read "This is some of the most compelling evidence in the case."